

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING BOARD OF HOMEOPATHIC AND INTEGRATED MEDICINE EXAMINERS

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28. (See the text of § 28 at 15 A.A.R. 1942, November 20, 2009.) The Governor's Office authorized the notice to proceed through the rulemaking process on May 4, 2010.*

[R11-23]

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 38, Board of Homeopathic and Integrated Medicine Examiners  
**Article and its heading:** 1, General  
**Section numbers:** R4-38-103, R4-38-104, R4-38-105, R4-38-106, R4-38-107, R4-38-108, R4-38-109, R4-38-110, R4-38-112, R4-38-113, R4-38-115, R4-38-116, R4-38-117, R4-38-118 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**  
The Board is amending, renumbering, repealing, and adding Sections to Article 1 to address recommended changes noted in a 2008 performance audit. At the same time the Board is adjusting the numbering of the Sections to place them in a logical numbering sequence.  
The Board is amending Section R4-38-106 to delete the oral examination requirement. In lieu of an oral examination, applicants will complete an oral interview with the Board prior to licensure.  
The Board is repealing Section R4-38-107 to conform with a 2008 law requiring all physician applicants to take a written examination. In the past, applicants could request a waiver of the written examination, but in order to ensure competency in each modality authorized by statute, the Board will now require completion of a written examination.  
The Board is adding R4-38-109 to reflect legislative changes requiring that license renewal be based on a licensee's anniversary date rather than at the end of each calendar year. At the same time a detailed listing of all documentation required to make an application for license or a renewal of an existing license is being incorporated into R4-38-108 and R4-38-109.  
The Board is amending Section R4-38-115 to clarify the use of the abbreviation M.D.(H) within the state and to clarify whether or not the physician also holds a license with the Arizona Medical Board or the Arizona Board of Osteopathic Examiners in Medicine and Surgery.  
Sections R4-38-117, R4-38-118, and R4-38-119 have been added to the Article to provide instructions relating to a new statutory requirement requiring licensed homeopathic physicians to obtain 20 hours of continuing education annually.
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 17 A.A.R. 468, April 8, 2011 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Chris Springer, Executive Director  
Address: Board of Homeopathic and Integrated Medicine Examiners  
1400 W. Washington St., Suite 230  
Phoenix, AZ 85007  
Telephone: (602) 542-3095  
Fax: (602) 542-3093  
E-mail: chris.springer@azhomeopathbd.az.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written and oral comments will be accepted on regular work days between 8:00 a.m. to 5:00 p.m. Comments may be sent by mail or hand delivery to the Board office located at:  
1400 W. Washington St., Suite 230  
Phoenix, AZ 85015-3214

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E-mail comments may be sent to: [chris.springer@azhomeopathbd.az.gov](mailto:chris.springer@azhomeopathbd.az.gov).

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

Notice of Proposed Rulemaking: 17 A.A.R. 468, April 8, 2011 (*in this issue*)

**NOTICE OF RULEMAKING DOCKET OPENING  
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
ADMINISTRATION**

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2010, Ch. 287, § 18. (See the text of § 18 on page 515.) The Governor's Office authorized the notice to proceed through the rulemaking process on February 28, 2011.*

[R11-26]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

22, Arizona Health Care Cost Containment System – Administration

**Article and its heading:**

1, Definitions; 2, Scope of Services; 7, Standards for Payments

**Section numbers:**

R9-22-101, R9-22-201, R9-22-202, R9-22-204, R9-22-210, R9-22-210.01, R9-22-211, R9-22-215, R9-22-217, R9-22-703, and R9-22-712  
(Sections may be added, deleted, or modified as necessary.)

**2. The subject matter of the proposed rule:**

The AHCCCS Administration intends to propose rules that will eliminate the requirement for obtaining Prior Authorization (PA) for fee-for-service services such as, but not limited to: dialysis shunt placement, apnea management and training for premature babies up to one year of life, certain eye surgeries, and hospitalizations for labor and delivery not exceeding specific time parameters. Subjecting these services to PA adds administrative costs and time-consuming processes to Agency operations, further straining limited program resources without accompanying benefits. This amendment also reduces the administrative burden on health care providers and facilitates members' access to appropriate care without adding increased cost to the Administration.

**3. A citation to all published notices relating to the proceeding:**

Notice of Proposed Rulemaking: 17 A.A.C. 478, April 8, 2011 (*in this issue*)

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Mariaelena Ugarte

Address: AHCCCS  
Office of Administrative Legal Services  
701 E. Jefferson St., Mail Drop 6200  
Phoenix, AZ 85034

Telephone: (602) 417-4693

Fax: (602) 253-9115

E-mail: [AHCCCSRules@azahcccs.gov](mailto:AHCCCSRules@azahcccs.gov)

**5. The time which the agency will accept written comments and the time and place where oral comments may be made:**

The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item 4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

Notice of Proposed Rulemaking: 17 A.A.C. 478, April 8, 2011 (*in this issue*)

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

CHILDREN'S HEALTH INSURANCE PROGRAM

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2010, Ch. 287, § 18. (See the text of § 18 on page 515.) The Governor's Office authorized the notice to proceed through the rulemaking process on February 28, 2011.*

[R11-28]

- 1. Title and its heading:** 9, Health Services

**Chapter and its heading:** 31, Arizona Health Care Cost Containment System – Children's Health Insurance Program

**Article and its heading:** 2, Scope of Services; 16, Services of Native Americans

**Section numbers:** R9-31-201, R9-31-204, R9-31-215, R9-31-1601, R9-31-1602, R9-31-1603, R9-31-1604, R9-31-1605, R9-31-1606, R9-31-1607, R9-31-1608, R9-31-1609, R9-31-1610, R9-31-1611, R9-31-1612, R9-31-1613, R9-31-1614, R9-31-1615, R9-31-1622, and R9-31-1625 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**

The AHCCCS Administration intends to propose rules that will eliminate the requirement for obtaining Prior Authorization (PA) for fee-for-service services such as, but not limited to: dialysis shunt placement, apnea management and training for premature babies up to one year of life, certain eye surgeries, and hospitalizations for labor and delivery not exceeding specific time parameters. Subjecting these services to PA adds administrative costs and time-consuming processes to Agency operations, further straining limited program resources without accompanying benefits. This amendment also reduces the administrative burden on health care providers and facilitates members' access to appropriate care without adding increased cost to the Administration.
- 3. A citation to all published notices relating to the proceeding:**

Notice of Proposed Rulemaking: 17 A.A.C. 501, April 8, 2011 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Mariaelena Ugarte

Address: AHCCCS  
Office of Administrative Legal Services  
701 E. Jefferson St., Mail Drop 6200  
Phoenix, AZ 85034

Telephone: (602) 417-4693

Fax: (602) 253-9115

E-mail: AHCCCSRules@azahcccs.gov
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**

The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item 4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**

Notice of Proposed Rulemaking: 17 A.A.C. 501, April 8, 2011 (*in this issue*)